

REMARKS/ARGUMENTS

Claims 1-4, 6, 8-14, 16 and 18-20 were rejected under §103 as being unpatentable over Plantes et al in view of the Vortex™ Manual, and further in view of Allen. Applicant incorporates herein by reference the same arguments provided in the Amendment After Final in response to the final Office Action dated December 13, 2005.

In addition to the distinguishing features of the invention as set forth in the previous amendments and arguments, Applicant has further amended Claim 1 to recite that the reaction plates are consumable, and Claim 1 has been amended to delete the functional recitation of the plates being removed for replacement due to being consumed. Claim 11 has been amended similar to Claim 1 in that Claim 11 also requires consumable reaction plates, and deleting the recitation that the plates are removed for placement due to being consumed.

Claim 1 has also been amended to provide further structural details for the reaction plate tabs. Specifically, the reaction plate tabs are recited as having a first end attached to a corresponding reaction plate, and a second end that is isolated from the flow of liquid in the housing. Allen shows no such structure wherein plate tabs are physically connected to the reaction plates as claimed. On the contrary, Allen provides a complex structure for electrical connection, and while the charge plates 19 in Allen may be electrically connected to the positive terminal 21 and negative terminal 22 which protrude through the housing, the terminals 21 and 22 are not physically connected to the charge plates 19 and rather, a number of intermediate structures are provided in Allen. Since Allen does not disclose an electrocoagulation device and rather discloses an electrostatic filter device wherein charge plates 19 are not consumed nor

replaced. There is simply no teaching in Allen to physically connect the terminals 21 and 22 to the charge plates 19. On the contrary, Allen specifically teaches away from any such physical connection between the terminals and the charge plates. Therefore, it would not be obvious to one of ordinary skill in the art to modify Plantes by the teachings of Allen.

Claim 11 also recites that the tabs are attached to the reaction plates and further that the reaction plate tabs extend vertically with the reaction plates and each reaction plate tab attached to a corresponding reaction plate being substantially co-planer. This attached orientation of the plate tabs and the reaction plates in the present invention further distinguishes over any reasonable interpretation of the Allen reference since it is clear in the Allen reference that even if the terminals 21 and 22 could be considered “attached” to the charge plates 19, there is certainly no teaching that the terminals 21 and 22 are co-planer with any corresponding charge plates 19. Therefore, this rejection under §103 should be withdrawn.

Claims 7 and 17 were rejected under §103 as being unpatentable over Plantes in view of the Vortex™ Operating Manual and Allen, and further in view of Moglich. Moglich fails to cure the deficiencies in the other references. Therefore, this rejection under §103 should also be withdrawn.

Also filed herewith is a Declaration under §132 from Mr. Bob Hamilton. As set forth in this Declaration, evidence is provided which further supports Applicant’s argument that the Allen reference in combination with the other references does not obviate the presently claimed invention. Furthermore, the Declaration indicates that electrostatic filtering devices should not be considered analogous art as electrocoagulation devices, and at a minimum, there is simply no

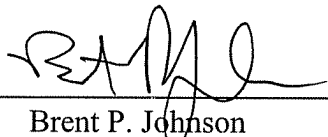
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motivation, suggestion, or other reasons to combine the teachings of Allen with the other references.

The application now appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would expedite the resolution of this case.

Respectfully submitted,

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